

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on June 17, 2005, the Examiner rejected claims 2-5, 10-14, and 16 under 35 U.S.C 102(e) as being anticipated by Unrein (United States Patent No. 6,490,157, hereinafter "Unrein"), rejected claims 6-7, 15, and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Unrein, and rejected claims 8-9 under 35 U.S.C. 103(a) as being unpatentable over Unrein in view of Wood et al. (United States Patent No. 5,689,406, hereinafter "Wood"). Additionally, the Examiner indicated that claims 26-30 are allowable. Accordingly, Applicant respectfully provides the following:

Rejections under 35 U.S.C. 102

In the Office Action, the Examiner rejected claims 2-5, 10-14, and 16 under 35 U.S.C. 102(e) as being anticipated by Unrein. Applicant respectfully submits that the claim set as provided herein is not anticipated by the cited reference.

The standard for a Section 102 rejection is set forth in M.P.E.P 706.02, which provides:

"... for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present."

Applicant respectfully submits that the cited reference does not teach every aspect of the claim set as provided herein and therefore does not anticipate the claims. In particular, independent claim 14 recites a dynamically modular processing unit comprising: a first non-peripheral based encasement; a first processor coupled to a first optimized circuit board that includes a first bus system, wherein the first optimized circuit board is a tri-board electrical printed circuit board configuration removably secured within the first non-peripheral based encasement; and a first interchangeable back plane coupled to the first non-peripheral based

encasement, wherein the first interchangeable back plane provides flexibility and support to peripherals and applications, and wherein the dynamically modular processing unit is configured to provide processing versatility through selective coupling to one or more other dynamically modular processing units in an enterprise, wherein all of the dynamically modular processing units are interconnected at the system bus level. In the Office Action the Examiner indicated that “The cited references and the prior art of record, fail to teach or suggest, in the claimed combination, the modular processing system having a tri-board electrical printed circuit board configuration removably secured within the modular and connecting an flexibility interchangeable back plane.” (see page 6) Accordingly, for at least this reason, Applicant respectfully submits that the cited reference does not anticipate independent claim 14 as it does not teach every aspect of the claimed invention, either explicitly or impliedly.

In addition, the dependent claims place further limitations on otherwise allowable subject matter. Accordingly, Applicant respectfully submits that the cited reference does not teach every aspect of the claims as provided herein and therefore does not anticipate the claim set provided herein.

#### Rejections under 35 U.S.C. 103

In the Office Action, the Examiner rejected claims 6-7, 15, and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Unrein, and rejected claims 8-9 under 35 U.S.C. 103(a) as being unpatentable over Unrein in view of Wood. Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited references.

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the

art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner does not teach or suggest the limitations claimed in the present claim set. In particular, as provided above, independent claim 14 recites a dynamically modular processing unit comprising: a first non-peripheral based encasement; a first processor coupled to a first optimized circuit board that includes a first bus system, wherein the first optimized circuit board is a tri-board electrical printed circuit board configuration removably secured within the first non-peripheral based encasement; and a first interchangeable back plane coupled to the first non-peripheral based encasement, wherein the first interchangeable back plane provides flexibility and support to peripherals and applications, and wherein the dynamically modular processing unit is configured to provide processing versatility through selective coupling to one or more other dynamically modular processing units in an enterprise, wherein all of the dynamically modular processing units are interconnected at the system bus level. In the Office Action the Examiner indicated that "The cited references and the prior art of record, fail to teach or suggest, in the claimed combination, the modular processing system having a tri-board electrical printed circuit board configuration removably secured within the modular and connecting an flexibility interchangeable back plane." (see page 6) Accordingly, for at least this reason, Applicant respectfully submits that the cited references do not make obvious independent claim 14 as they do not teach or suggest, alone or in combination, all of the claimed limitations.

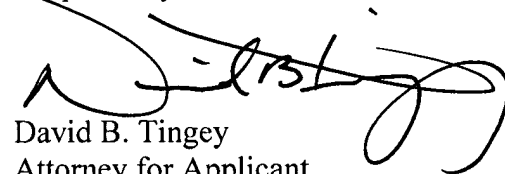
In addition, the dependent claims place further limitations on otherwise allowable subject matter. Accordingly, Applicant respectfully submits that the cited references do not teach or suggest, alone or in combination, all of the claimed limitations of the claims as provided herein and therefore do not anticipate the claim set provided herein.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 14<sup>th</sup> day of November, 2005.

Respectfully submitted,



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